

REMARKS

Claims 1 and 6 were rejected, and claims 2-5 were objected to, in the Office Action dated June 3, 2004. Reconsideration and allowance of the application and all of its claims are earnestly requested in view of the following remarks.

Claim rejections - 35 U.S.C. § 103:

Claims 1 and 6 were rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al., US 6,192,239 in view of Vuorio et al., US 6,535,748. This rejection is respectfully traversed.

Claim 1 recites, in pertinent part,

"a coupler (4,5, SW1, SW2, 21, 23, 24) coupling said first or second transmit/receive circuit (6, 11, 12 or SW3, 13, 14) corresponding to a system judged as a main system by said judging circuit (15) with said first and second antennas (1, 2) in a main system operation in which a signal is transmitted/received to/from a base station for the main system, while coupling said first or second transmit/receive circuit (6, 11, 12 or SW3, 13, 14) corresponding to a system judged as a monitor system by said judging circuit (15) with said first and second antennas (1, 2) in monitoring in which a signal is received from a base station for a monitor system."

Neither Lee nor Vuorio teach, disclose nor suggest a coupler coupling first or second transmit/receive circuits corresponding to a system judged as a main system with first and second antennas while coupling first or second transmit/receive circuit corresponding to a system judged as a monitor system with first and second antennas, as recited in claim 1. Lee doesn't show first and second antennas that are spaced apart from each other at all, as acknowledged graciously in the Office action. Since Lee has no first and a second antennas, Lee has no need for a coupler coupling first and second antennas to first or second transmit/receive circuits.

Vuorio has no need for coupler coupling first or second transmit/receive circuits corresponding to a system judged as a main system with first and second antennas while coupling first or second transmit/receive circuit corresponding to a system judged as a monitor system with first and second antennas either, since second antenna 30 is used as a diversity receiver, as described at column 5, line 21. The same signal will be received by both antennae 2 and 30, as described at column 8, lines 59 and 60. First antenna 2 and second antenna 30

Application Serial No. 09/914,595
Response to Office Action dated August 17, 2004
Reply to Office Action of June 3, 2004

are thus receiving from or transmitting to the same base station, albeit (possibly) by different paths, as described at column 5, lines 23-25 and column 8, lines 60-63. Since the signals emanate from a single base station, they can be combined coherently or alternatively, as described at column 6, line 10-13 and column 8, lines 63-67.

This is to be contrasted with claim 1, which recites coupler coupling first or second transmit/receive circuits corresponding to a system judged as a *main* system with first and second antennas while coupling first or second transmit/receive circuit corresponding to a system judged as a *monitor* system with first and second antennas. Main and monitor systems are not, in general, the same system.

Since neither Lee nor Vuorio teach, disclose nor suggest a coupler coupling first or second transmit/receive circuits corresponding to a system judged as a main system with first and second antennas while coupling first or second transmit/receive circuit corresponding to a system judged as a monitor system with first and second antennas, their combination cannot, either. Claim 1, and dependent claim 6, are therefore believed to be allowable. Withdrawal of the rejection is respectfully requested.

Allowable Subject Matter:

The Applicants acknowledge with appreciation the indication that claims 2 through 5 contain allowable subject matter.

Conclusion:

Accordingly, in view of the reasons given above, it is submitted that all claims 1 through 6 are allowable over the cited references. Allowance of all claims 1 through 6 and of this entire application are therefore respectfully requested.

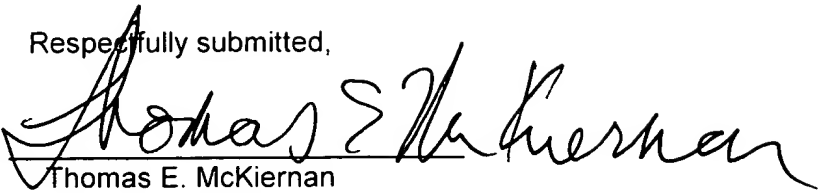
Application Serial No. 09/914,595

Response to Office Action dated August 17, 2004

Reply to Office Action of June 3, 2004

Respectfully submitted,

By

A handwritten signature in black ink, appearing to read "Thomas E. McKiernan", written over a horizontal line.

Thomas E. McKiernan

Reg. No. 37,889

Attorney for Applicants

ROTHWELL, FIGG, ERNST & MANBECK

Suite 800, 1425 K Street, N.W.

Washington, D.C. 20005

Telephone: (202)783-6040

2576-116-am2